

UNITED STATES DISTRICT COURT - DISTRICT OF NEW HAMPSHIRE  
ANDRE BISASOR, Plaintiff,

v.

CRAIG S. DONAIS; RUSSELL F. HILLIARD; DONAIS LAW OFFICES, PLLC;  
UPTON & HATFIELD, LLP; and MARY K. DONAIS, Defendants.

Case No.1:23-cv-00374-JL

**MOTION TO RECUSE MAGISTRATE JUDGE AND/OR REASSIGN CASE TO JUDGE  
OUTSIDE OF THIS DISTRICT**

1. I submit this emergency motion to recuse the magistrate judge (Judge Saint Marc) and/or reassign the case to a judge outside of the district of New Hampshire.
2. I request reassignment of the case because this case involves legal malpractice and the lawyer and law firm defendants and their counsels, regularly practice before this court. There is clear precedent for this when law firms and lawyers defending a legal malpractice case before a court, regularly practices before the court in that district. I therefore request that the case be reassigned to the district of Maine, which I understand has been routinely done under these circumstances.
3. I request that the magistrate judge be recused.
4. It is my understanding that the magistrate judge as recently as last year summer or just before summer 2023, used to work in a big NH law firm focused on employment defense. The lawyers for the defendants also do the same work. Given the small bar in NH, it stands to reason that the judge has worked with the lawyers for the defendants in the past or even the defendants themselves including and especially Upton & Hatfield, Preti Flaherty and Morrison Mahoney and in particular Linda Smith, and others. This possible or likely past recent working relationship or contact with these lawyers will likely color the judge in favor of the defendants. This further supports reassignment of this case to outside the district of NH.
5. This bias has arguably shown up in how the judge has shown favor to the defendants, been deferential to them, refuses to say anything to them to hold them accountable or to question them on anything during hearings, and has chiding to me and has engaged in, my view, unfair, unreasonable, and even, dare I suggest, draconian, treatment of me evidently reflecting judicial bias against me. I do not have time to go into further detail here but I can do so with a supplement shortly after this. I can also elaborate in the hearing if possible.
6. I have signaled in various motions and filings that I intended to file a motion to recuse, so this should not be a surprise. However, I have been hesitant to file a motion to recuse because of fear of triggering offense or retaliatory impulse from the judge. However, I feel it is necessary at this point to put this motion on the record formally at this time.

7. I am already at a disadvantage as an African American pro se plaintiff in the legal system due to inherent well-known biases that have been shown, by research and even by the court taskforces, such as in MA, to permeate the legal/court system. I do not want even a scintilla of a chance of any bias to further disadvantage whatsoever.
8. One of the key principles of the American judicial system is that the judge who presides over a case must be fair and impartial. No party should be required to submit to a judge who has a prejudicial or bent of mind, expecting that there will be another opportunity for justice after judgment has been rendered. Rather, recusal should be viewed as a means of avoiding a needless and judicially inefficient ordeal. At the risk of undermining the public's confidence in the judicial process, the welfare of the parties must receive priority over other considerations.
9. Allowance of this motion should be granted in the interests of justice.
10. I hereby humbly request this court grant my request and/or other relief that the court deems just and proper. In the alternative, I ask that a different judge rule on this motion.
11. I request hearing on this motion.
12. I do not have time to seek concurrence from the defendants but I assume they do not concur.
13. Please grant a pro se liberal construction to this pleading.
14. Please grant my request or grant any other relief the Court deems proper.

Respectfully submitted,  
/s/ Andre Bisasor  
Andre Bisasor

May 31, 2024

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served to the defendants in this case.

/s/ Andre Bisasor  
Andre Bisasor